IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

. 3:20-CV-2100-L-BT
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ORDER

On June 4, 2021, The Findings, Conclusions and Recommendation of the United States Magistrate Judge ("Report") (Doc. 14) was entered, recommending that this action and Plaintiff's claims for false arrest and false imprisonment, brought pursuant to 42 U.S.C. § 1983, be dismissed with prejudice, under 28 U.S.C. §§ 1915A and 1915(e)(2)(B), for failure to state claims upon which relief can be granted. No objections to the Report were docketed as of the date of this order.

Having considered the pleadings, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, pursuant to 28 U.S.C. §§ 1915A and 1915(e)(2)(B), the court **dismisses with prejudice** all claims asserted by Plaintiff in this action for failure to state any claims upon which relief can be granted.

The court prospectively **certifies** that any appeal of this action by Plaintiff would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3). In support of this certification, the court **incorporates by reference** the Report (Doc. 14). *See Baugh v. Taylor*, 117 F.3d 197, 202 and n.21 (5th Cir. 1997). Based on this Report, the court concludes that any appeal

of this action by Plaintiff would present no legal point of arguable merit and would, therefore, be frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). In the event of an appeal, Plaintiff may challenge this certification by filing a separate motion to proceed *in forma pauperis* on appeal with the clerk of the United States Court of Appeals for the Fifth Circuit. See Baugh, 117 F.3d at 202; Fed. R. App. P. 24(a)(5).

It is so ordered this 2nd day of July, 2021.

Sam Q. Lindsay

United States District Judge